

## REMARKS

Reconsideration and allowance of the above-reference application are respectfully requested. New claims 35-52 are added, and Claims 1-52 are pending in the application.

The specification has been amended to not exceed 150 words. Hence, it is believed the specification is in proper form.

Claims 1-34 stand rejected under 35 USC 102(e) in view of U.S. Patent No. 6,269,336 to Ladd et al. This rejection is respectfully traversed.

Each of the independent claims 1, 15, and 29 specify an arrangement for a server to execute web-based voice application operations. Claim 1 is exemplary:

1. A method in a server configured for executing web-based voice application operations, the method comprising:

receiving a first hypertext markup language (HTML) request, via a hypertext transport (HTTP) connection, for execution of a first web-based voice application operation for a first user;

first storing in a data record a session identifier and a first application state that specifies an execution by a first application instance of the first web-based voice application operation for the first user;

executing a second web-based voice application operation by a second application instance for a second user based on the execution of the first web-based voice application operation for the first user; and

second storing in the data record a second application state that specifies the execution by the second application instance of the second web-based voice application operation for the second user.

Hence, each of the independent claims specify that the same data record is used to store a session identifier, the first application state and a second application state, where the first and second application states specify execution of the first and second web-based voice application

operations for the first and second users by the first and second application instances, respectively.

Consequently, multiple independent application instances can be executed independently for respective application operations for respective users, even though the application operations are part of the same session. As described for example on page 5, lines 16-22 of the specification, maintaining application state information for multiple users within the same data record enables the server to coordinate voice application operations between the users, for example by bridging the users together, while maintaining the ability to provide independent voice application operations for the respective users as desired. These and other features and advantages are neither disclosed nor suggested in the applied prior art.

Ladd et al. provides absolutely no disclosure or suggestion whatsoever of storing a session identifier in a data record, let alone storing in the same data record a first application state specifying execution of the first web-based voice application operation for the first user by a first application instance, and storing in that same data record a second application state that specifies the execution of the second web-based voice application operation for the second user by the second application instance, as claimed.

Moreover, the §102 rejection is legally inadequate because it fails to demonstrate that the applied reference discloses the claimed storage in a data record of a session identifier and a first application state for the first user, in combination with the second application state for the second user, as claimed. In fact, the cited portions of the applied reference provide no more than a general description of various resource protocols (see column 3, lines 7-19), a voice response

unit that performs speech recognition process based on speech communications received from a user and supplied to an application server 242 and/or a voice browser 250 (see column 8, lines 55-67), a vague description of the voice response unit 234 including a speech recognition unit 254, a speech to text unit 256, (column 1, lines 1-11) and a general description of an automated speech recognition unit 254 that provides speaker independent automatic speech recognition of speech inputs between the user and the communication node 212 which retrieves desired data, and forwards the data to a text-to-speech unit 252 to generate voice data for the user (see column 9, lines 1-44).

Hence, the §102 rejection should be withdrawn because it fails to demonstrate that Ladd et al. discloses each and every element of the claim. See MPEP 2131. "The identical invention must be shown in as complete detail as is contained in the ... claim." Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). "Anticipation cannot be predicated on teachings in the reference which are vague or based on conjecture." Studiengesellschaft Kohle mbH v. Dart Industries, Inc., 549 F. Supp. 716, 216 USPQ 381 (D. Del. 1982), aff'd., 726 F.2d 724, 220 USPQ 841 (Fed. Cir. 1984).

Further, the applied reference provides no disclosure or suggestion of storing, in the same data record, a session identifier, plus a first application state for the first user and a second application state for the second user, as claimed. At best, the applied reference teaches a voice browser 250 that executes voice applications by building (by a parser 302) and storing (by a state machine 306) a tree structure, illustrated in Figure 7 (column 12, lines 15-24); the interpreter 304

determines the next state, and sends data to the text-to-speech resource 252 (see, e.g., column 13, lines 47-48; column 29, lines 25-26).

Ladd et al. describes that the interpreter unit 304 carries out a dialogue with the user based on the tree structure representing a markup language document. The state machine 306 stores the tree structure of the markup language and maintains the current state or step that the voice browser is executing (see, e.g., column 13, lines 45-48 and 62-65).

As apparent from the foregoing, however, Ladd et al. provides no disclosure or suggestion of storing a data record for any more than a single user: all references in Ladd et al. to any storage of application state is limited to a single user.

As specified in MPEP §2131: “‘A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference’ *Verdegaal Bros. V. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). ... ‘The identical invention must be shown in as complete detail as is contained in the ... claim.’ *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).” MPEP 2131 (Rev. 2, May 2004, at p. 2100-73).

For these and other reasons, the §102 rejection of independent claims 1, 15, and 29 should be withdrawn.

Applicant further traverses the rejection of claims 7, 11, 21, 25, 26: Ladd et al. provides no reference whatsoever of any bridging between two users, as claimed. A review of Figures 5A and 5B (and the accompanying text) cited in the rejection demonstrates that Ladd et al. simply provides state transitions in a voice application between the user and a voice response unit: there

is no disclosure or suggestion of bridging a call between two users. Hence, claims 7, 11, 21, 25, and 26 are further patentable over Ladd et al.

For these and other reasons, the §102 rejection of claims 1-34 should be withdrawn.

In view of the above, it is believed this application is in condition for allowance, and such a Notice is respectfully solicited.

To the extent necessary, Applicant petitions for an extension of time under 37 C.F.R.

1.136. Please charge any shortage in fees due in connection with the filing of this paper, including any missing or insufficient fees under 37 C.F.R. 1.17(a), to Deposit Account No. 50-1130, under Order No. 95-431, and please credit any excess fees to such deposit account.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'L R Turkevich', with a stylized flourish at the end.

Leon R. Turkevich  
Registration No. 34,035

Customer No. 23164  
(202) 261-1059  
**Date: August 26, 2004**